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**FILED**

**FEB 16 2011**

**SECRETARY, BOARD OF  
OIL, GAS & MINING**

**BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH**

UTAH CHAPTER OF THE SIERRA CLUB,  
et al, Petitioners,

vs.

UTAH DIVISION OF OIL, GAS & MINING,  
Respondents,

ALTON COAL DEVELOPMENT, LLC, and  
KANE COUNTY, UTAH

Respondent/Intervenors.

**JOINDER OF KANE COUNTY, UTAH IN  
ALTON COAL DEVELOPMENT, LLC'S  
REPLY MEMORANDUM SUPPORTING  
MOTION TO POSTPONE**

Docket No. 2009-019

Cause No. C/025/0005

**ORAL ARGUMENT REQUESTED**

Intervenor Kane County, Utah, through its attorney hereby joins Alton Coal Development, LLC's ("Alton's") in its REPLY MEMORANDUM SUPPORTING MOTION TO POSTPONE. Kane County agrees with and adopts the legal arguments set forth in Alton's reply memorandum. Kane County agrees that the decision to postpone is within the Board's discretion. In this matter it would be more efficient to postpone until all issues regarding fees can be addressed. No party will suffer any harm by postponing the issue.

SUBMITTED this 16<sup>th</sup> day of February, 2011.

  
**ROBERT VAN DYKE**  
**DEPUTY KANE COUNTY ATTORNEY**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 16<sup>th</sup> day of February, 2011, I e-mailed a true and correct pdf copy of the foregoing **JOINDER OF KANE COUNTY, UTAH IN ALTON COAL DEVELOPMENT, LLC'S REPLY MEMORANDUM SUPPORTING MOTION TO POSTPONE** to the following:

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